

Form 2650 (12/15)

United States Bankruptcy Court

Eastern District Of VirginiaIn re RoomStore, Inc.

Debtor

Case No. 11-37790-KLPLynn L. Tavenner, Chapter 7 Trustee

Plaintiff

Chapter 7v.
Tomisho SDN BHD

Defendant

Adv. Proc. No. 13-03286CERTIFICATION OF JUDGMENT FOR
REGISTRATION IN ANOTHER DISTRICT

I, clerk of the United States Bankruptcy Court, do certify that the attached judgment is a true and correct copy of the original judgment entered in this proceeding on December 21, 2016 as it appears in the records of this court, and that: (date)

- ☒ No notice of appeal from this judgment has been filed, and no motion of the kind set forth in Federal Rule of Civil Procedure 60, as made applicable by Federal Rule of Bankruptcy Procedure 9024, has been filed.
- ☐ No notice of appeal from this judgment has been filed, and any motions of the kind set forth in Federal Rule of Civil Procedure 60, as made applicable by Federal Rule of Bankruptcy Procedure 9024, have been disposed of, the latest order disposing of such a motion having been entered on _____ (date).
- ☐ An appeal was taken from this judgment, and the judgment was affirmed by mandate of the _____ issued on _____ (name of court) (date).
- ☐ An appeal was taken from this judgment, and the appeal was dismissed by order entered on _____ (date).

WILLIAM C. REDDEN

Clerk of the Bankruptcy Court

October 24, 2017

Date

By: /s/ Candace Manley

Deputy Clerk

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

In re:

ROOMSTORE, INC.,

Debtor.

* * * * *

LYNN L. TAVENNER, Chapter 7 Trustee,

Plaintiff,

v.

TOMISHO SDN BHD,

Defendant.

* * * * *

Chapter 7

Case No. 11-37790- KLP

Adv. Proc. No. 13-03286-KLP

JUDGMENT AND ORDER

Upon consideration the Motion for Judgment by Default (the "Motion"), filed by Lynn L. Tavenner, Chapter 7 Trustee (the "Trustee") for the estate of RoomStore, Inc., the Court makes the following findings of fact and conclusions of law:

Findings of Fact

1. Plaintiff commenced this action against Tomisho SDN BHD (the "Defendant") by filing a Complaint to Avoid Transfers and Recover Property and for Related Relief (the "Complaint") on December 5, 2013.

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Special Counsel for Lynn L. Tavenner, Chapter 7 Trustee

A True Copy Teste:

William C. Redden, Clerk

By: William C. Redden
Deputy Clerk

2. A summons with respect to the Complaint (the "Summons") was issued on December 6, 2013.

3. The Complaint, Avoidance Action Adversary Proceeding Procedures Motion and Order, Letter Rogatory Service Package and Service Order were served on the Defendant, which is a foreign entity, on August 22, 2016 as indicated on the Certificate of Service dated August 23, 2016. [Docket # 21].

4. The time for the Defendant to file an answer, plead, defend or otherwise move in response to the Complaint pursuant to Fed. R. Bankr. P. 7008 and 7012, which has not been further extended by the United States Bankruptcy Court for the Eastern District of Virginia, has expired, and the Defendant has not filed an answer that complies with Fed. R. Bankr. P. 7008 or otherwise responded to the Complaint in compliance with the Federal Rules of Bankruptcy Procedure and Federal Rules of Civil Procedure.

5. On November 18, 2016, the Trustee filed the Motion and mailed a copy to the Defendant along with the Notice of Hearing on the Motion.

6. Defendant did not respond to the Motion.

Conclusions of Law

A. The Complaint, Summons and Motion were properly served on the Defendant.

B. The Defendant is in default, the Trustee is entitled to judgment on the Complaint as requested in the Motion, and the Motion is granted.

C. The transfers identified in **Exhibit A** hereto are hereby avoided pursuant to 11 U.S.C. § 547 and recoverable pursuant to 11 U.S.C. § 550.

It is, therefore, based on the above and the reasons stated on the record at the hearing on this Motion:

ORDERED, ADJUDGED, AND DECREED that the Motion is granted; and it is further

ORDERED, ADJUDGED, AND DECREED that the transfers identified in Exhibit A hereto are hereby avoided pursuant to 11 U.S.C. § 547; and it is further

ORDERED, ADJUDGED, AND DECREED that judgment is hereby entered against Defendant in the amount of \$168,663.50 plus \$293.00 in costs and post-judgment interest as allowed by law; and it is further

ORDERED, ADJUDGED, AND DECREED that pursuant to 11 U.S.C. § 502(d), Defendant's claims, including Claim Nos. 1386 and 2646, filed by the Defendant in the Debtor's case are hereby disallowed and expunged from the claim register.

This matter having been fully adjudicated, the Clerk is hereby directed to close this adversary proceeding.

Dated: Dec 20 2016

/s/ Keith L. Phillips

United States Bankruptcy Judge

Entered on Docket: Dec 21 2016

I ASK FOR THIS:

/s/ Christopher A. Jones

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-and-

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*Special Counsel for Lynn L. Tavenner, Chapter 7
Trustee*

LOCAL BANKRUPTCY RULE 9022-1(C) CERTIFICATION

Pursuant to LBR 9022-1, I hereby certify that the foregoing proposed order has been served upon all necessary parties.

/s/ Christopher A. Jones
Counsel

List of Persons to Receive Copies.

Tomisho SDN BHD
Lot 971, Batu 23 ½, Jalan Sungai Lalang,
43500 Semenyih,
Selangor Darul Ehsan, Malaysia

Tomisho SDN BHD
Lot 2725, Batu 14 1/4, Jalan Kapar
42200 Klang
Selangor Darul Ehsan, Malaysia.

Lynn L. Tavenner, Chapter 7 Trustee
20 North Eighth Street, Second Floor
Richmond, VA 23219

EXHIBIT A**THE ROOMSTORE, INC.
TRANSFER LISTING FOR TOMISHO SDN BHD.**

<u>Payee</u>	<u>Check #</u>	<u>Check Date</u>	<u>Clear Date</u>	<u>Transfer Amount</u>
Tomisho SDN BHD	Wire	9/30/2011	9/30/2011	\$37,167.50
Tomisho SDN BHD	Wire	10/12/2011	10/12/2011	\$30,113.00
Tomisho SDN BHD	Wire	10/13/2011	10/13/2011	\$17,053.00
Tomisho SDN BHD	Wire	10/31/2011	10/31/2011	\$28,746.00
Tomisho SDN BHD	Wire	12/5/2011	12/5/2011	\$55,291.00
Total for 5 Payments				\$168,370.50

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